

UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF MASSACHUSETTS

CIVIL ACTION NO. 13-CV-11007

<b>Margaret Snopkowski &amp; Tom Snopkowski</b>	:	
	:	
	:	
<b>Plaintiff(s),</b>	:	<b>MDL No. 2419</b>
	:	<b>Master Docket No. 1:13-md-2419-FDS</b>
<b>v.</b>	:	
	:	<b>Honorable F. Dennis Saylor</b>
	:	
<b>UNIFIRST CORPORATION, A/D/B/A UNICLEAN CLEANROOM SERVICES,</b>	:	
	:	<b><u>DEMAND FOR JURY TRIAL</u></b>
	:	
	:	
	:	
<b>Defendants.</b>	:	

SHORT FORM COMPLAINT  
AGAINST UNAFFILIATED DEFENDANTS

Plaintiffs, Margaret Snopkowski and Tom Snopkowski, complaining against the Defendants, allege as follows:

**FIRST COUNT**

1. Pursuant to MDL Order No. 7, entered in In Re: New England Compounding Pharmacy, Inc. Products liability Litigation, Master Docket No. 1:13-md-2419-FDS, the undersigned counsel hereby submit this Short Form Complaint and Jury Demand against the Defendants, and adopt and incorporate by reference the allegations in the Plaintiffs' Master Complaint, with attachments, and any and all amendments thereto.

2. Plaintiff is a resident of the State of Michigan.

3. Plaintiff brings this action

☒ On behalf of herself.

4. Additionally, Tom Snopkowski, is the

☒ Spouse of Margaret Snopkowski, is a resident of the State of Michigan, and is hereby named as an additional plaintiff, and claims damages.

5. Plaintiff asserts that the Plaintiff was administered New England Compounding Pharmacy, Inc. ("NECC") drug Methylprednisone Acetate (hereinafter referred to as "NECC drug"), causing injuries and damages.

6. The aforesaid administration of the NECC drug occurred on: September 13, 2012 by Dr. Edward Washabaugh, at Michigan Pain Specialist, located in Brighton, Michigan.

7. Michigan Pain Specialists and Dr. Edward Washabaugh are hereinafter collectively referred to as "Clinic Related Defendants."

8. Plaintiffs adopt and incorporate by reference the following Causes of Action asserted against the Defendants in the Master Complaint:

☒ COUNT II: NEGLIGENCE AND GROSS NEGLIGENCE (Against UniFirst)

☒ COUNT VI: VIOLATION OF M.G.L. C. 93A (Against UniFirst)

☒ COUNT XIII: LOSS OF CONSORTIUM (Against UniFirst)

9. Plaintiffs do not now assert but will seek leave to amend to assert the following claims promptly after the time period for giving notice has expired:

☒ COUNT III: NEGLIGENCE AND GROSS NEGLIGENCE (Against Clinic Related Defendants)

☒ COUNT XIII: LOSS OF CONSORTIUM (Against Clinic Related Defendants)

10. Plaintiff Margaret Snopkowski claims to have suffered the following injuries as a result of the administration of NECC's drug: meningitis, infection, pain, suffering, mental anguish, and inconvenience.

11. Plaintiff Margaret Snopkowski claims to have suffered the following damages as a result of the administration of NECC's drug serious injuries, great pain of body and mind, past and future lost earnings and earning capacity, inconvenience disability, deformity, past and future medical stay and past and future medical and hospital bills all of which constitute damages in excess of the jurisdictional limitation.

12. The additional designated plaintiff has suffered and will continue to suffer the following: loss of companionship, emotional support and care, sexual relations, affection, services, love, comfort and dependence.

WHEREFORE, Plaintiffs demand Judgment against the Defendants awarding compensatory damages, punitive damages, attorneys' fees, interest, costs of suit, and such further relief as the Court deems equitable and just.

Plaintiffs reserve the right to amend this Complaint to add allegations and claims against individuals or entities currently omitted (in light of the Court's order permitting a Master Complaint naming defendants affiliated with NECC and currently participating in mediation by December 20) and to add or amend allegations against Defendants named herein based, in part, on further discovery.

### **SECOND COUNT**

Plaintiff, Margaret Snopkowski had previously filed a cause of action against the New England Compounding Center, Docket # 13-cv-11007.

Plaintiff, Margaret Snopkowski incorporates by reference and therefore maintains his previously asserted claims against the New England Compounding Center.

**JURY DEMAND**

Plaintiffs hereby demand a trial by jury.

**Respectfully Submitted,**

**PLAINTIFFS Margaret Snopkowski and  
Tom Snopkowski**

**By Their Attorneys,**

**/s/ Peter J. Ainsworth, BBO#658704**

Date: December 19, 2013